

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
EUGENE DIVISION

MICHAEL BOYLE,

Civ. No. 6:22-cv-01361-AA

Plaintiff,

OPINION & ORDER

v.

DESCHUTES COUNTY SHERIFF L.
SHANE NELSON; MICHAEL HUDSON;
JAYSON JANES; CHAD DAVIS; THOMAS
LILIENTHAL; BRYAN MORRIS; LIAM
KLATT; DESCHUTES COUNTY,

Defendants.

AIKEN, District Judge.

This case comes before the Court on Plaintiff's Motion for Joinder, ECF No. 99. A plaintiff may not bring unrelated claims against unrelated parties in a single action. Fed. R. Civ. P. 20(a)(2). A plaintiff may bring a claim against multiple defendants so long as (1) the claim arises out of the same transaction or occurrence, or series of transactions and occurrences, and (2) there are common questions of law or fact. *Id.*

Here, Plaintiff's claims in the operative Second Amended Complaint concern the criminal investigation into Plaintiff and his subsequent prosecution. The

individuals Plaintiff proposes to add as defendants and the claims he proposes to add to this case concern his incarceration. They do not arise out of the same transaction or occurrence as the existing claims, nor do they share common questions of fact or law with the existing claims. Despite Plaintiff's reference to Federal Rule of Civil Procedure 19, there is no indication that relief cannot be achieved among the existing parties or that disposing of the action in absence of the parties Plaintiff proposes to join would impair or impede Plaintiff's ability to protect his interests. Joinder is improper.

Plaintiff also requests appointment of pro bono counsel, should his motion for joinder be denied. There is no constitutional right to counsel in a civil case. *United States v. 30.64 Acres of Land*, 795 F.2d 796, 801 (9th Cir. 1986). The Court declines to request pro bono counsel for Plaintiff. Plaintiff's Motion, ECF No. 99, is DENIED.

It is so ORDERED and DATED this 4th day of October 2024.

/s/Ann Aiken
ANN AIKEN
United States District Judge